



Farmers Market Update

Office of Food Protection
Environmental Health Bureau
Public Health and Prevention Administration
Maryland Department of Health & Mental Hygiene

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Farmer's Market

COMAR10.15.03: *Farmer's market* means a place where a person offers or sells one or more of the following food products to the public:

- Raw agricultural products such as fruits, vegetables, and grains supplied directly from a farm
- Naturally acid fruit jams/jellies and non-potentially hazardous baked goods (can be made in a private home kitchen)
- Eggs sold in accordance with MDA regulations
- Products that are not potentially hazardous and do not require refrigeration that are processed in a food processing plant licensed and operated according to COMAR 10.15.04.18 (on-farm home processed non-PHF's)



How: Farmer's Market



- If it fits the 10.15.03 definition of *Farmer's Market*, then NO FOOD LICENSE REQUIRED
- If it is the retail sale of a prepackaged, non-PHF then NO FOOD LICENSE REQUIRED
- If it is the sale of foods other than specified in the *Farmer's Market* definition, then you must obtain a food license (FSF-temporary or mobile, PMFMU)



Who

- Producer of raw product
- Retailer
- Manufacturer (on-farm home processing license, MDA certification)
- Processor
- Cottage Food Industry



What

- Raw agricultural product
- Processed Food (stored, manufactured, packaged for wholesale distribution)
- USDA processed meat and poultry
- MDA certified rabbit, poultry, eggs
- Aged farmstead cheese
- Processing plant on farm
- Sample of farm product
- High acid Fruit Jams/Jellies
- Non-Potentially Hazardous Baked Goods

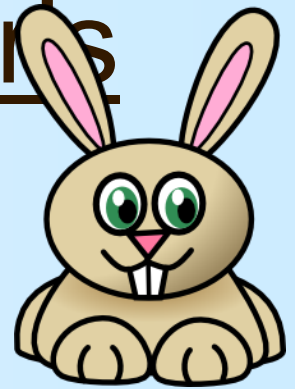


On-Farm Home Processing

- On-farm processed foods can be sold intrastate and interstate
 - Internet sales
 - Wholesale to retailers, e.g. institution, grocery store, bed and breakfast, restaurant
 - Farmer's market (directly from farm or at organized market)



Producer Mobile Farmers Market Unit



- DHMH license to transport to and sell at a farmer's market and public festival or event:
 - Potentially hazardous on-farm home processing plant products, e.g. USDA processed meats and poultry brought back to the farm for storage, or farmstead cheese
 - Farm products inspected, licensed, or certified by MDA, e.g. rabbits and poultry
 - PH-Food from a DHMH licensed farm operation (including FP and DMC)



How: Producer Mobile Farmer's Market Unit

- License for period of 1 year and valid in all jurisdictions of the State
- License is issued by DHMH
- Counties enforce and levy fines



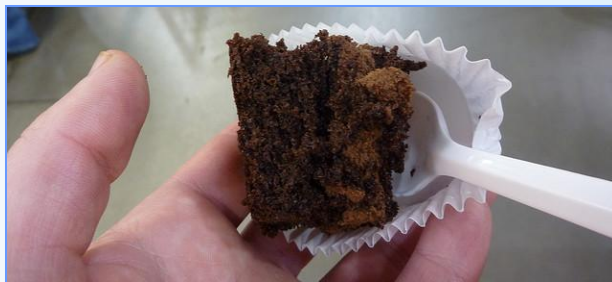
Mobile and Temporary FSFs

- Covers sale of potentially hazardous foods not covered under PMFMU
- Review and license by LHD
- Fees vary per Jurisdiction



Seasonal Farmer's Market Producer Sampling FSF

- Counties MAY create a seasonal farmer's market producer sampling license
 - Effective Oct. 1, 2010
 - Producer of a **farm product** can prepare and offer samples at farmer's markets and public festivals or events
 - Valid at all farmer's markets in County for a year from date of issuance for a single fee
 - Set up modeled after Temporary FSF
 - County sets fee and enforces regulation





Cottage Food Industry

- Produce High Acid Fruit Jams and Jellies
- Non-potentially Hazardous Baked Goods
- Hard Candy
- Honey



Cottage Food Industry

- Produce foods from private home kitchen within the State
- Storage of Raw ingredients
- Annual Income <\$25,000
- Labeling Requirements
- LHD will:
 - inspect for compliance, levy fines, conduct enforcement



Is a license required?

- For most things yes, except:
 - Personal Chef services where all food is made in the home of the consumer
 - The sold only under the Cottage Food Law at a Farmer's Market, bake sale, public event or festival
 - Eggs registered by MDA
 - Raw fruits and vegetables



Questions?

